REMARKS

Claims 1-46 are pending in this application.

The Examiner, in the non-final Office Action mailed August 24, 2006, restricted these same claims into the following 11 groups:

1. Claims 1, 2 and 13-16, drawn to an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

2. Claims 3-12 and 13-16, drawn to an aptamer comprising a first sequence capable of binding to a first target, and a second sequence capable of binding to a second target.

3. Claims 17-20, drawn to a composition comprising an aptamer that binds to VEGF, a pharmaceutically acceptable carrier, and an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

4. Claim 29, drawn to a method of reducing interstitial fluid pressure in a tumor comprising the step of administering an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

5. Claim 29, drawn to a method of reducing interstitial fluid pressure in a tumor comprising the step of administering an aptamer comprising a first sequence capable of binding to a first target, and a second sequence capable of binding to a second target.

6. Claim 33, drawn to methods of increasing the permeability of a solid tumor to cytotoxic agents comprising the step of administering an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

7. Claim 33, drawn to methods of increasing the permeability of a solid tumor to cytotoxic agents comprising the step of administering an aptamer comprising a first sequence capable of binding to a first target, and a second sequence capable of binding to a second target.

8. Claim 37, drawn to methods of reducing constitutive expression of platelet derived growth factor in a tumor comprising the step of administering an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

9. Claim 37, drawn to methods of reducing constitutive expression of platelet derived growth factor in a tumor comprising the step of administering an aptamer comprising a first sequence capable of binding to a first target, and a second sequence capable of binding to a second target.

10. Claim 41, drawn to methods of reducing angiogenesis and neovascularization in a solid tumor comprising the step of administering an aptamer that binds to PDGF and comprises a sequence selected from SEQ ID NO:1-3, 9-38, 50, 54-90 and 94-99.

11. Claim 41, drawn to methods of reducing angiogenesis and neovascularization in a solid tumor comprising the step of administering an aptamer comprising a first sequence capable of binding to a first target, and a second sequence capable of binding to a second target.

Applicants hereby elect, without traverse, Group 2 (i.e. claims 3-12 and 13-16). Applicants have further withdrawn[1] (within the elected group) claims 4, 5, and 6 thereby rendering moot the Examiner's demand to further select a single sequence out of the Markush group set out in claim 5. In addition to electing the claims of Group 2, the Applicants have added new claims 47 – 63. These new claims introduce no new matter.

Specifically, the Markush group defining sequences consistent with a CpG motif finds support at paragraphs [00293] – [00295] of the application as filed. Support for an aptamer further comprising a non-immunogenic compound is found at paragraph [00253] – [00254]. Support for an aptamer comprising at least two discrete immunostimulatory motifs is found at paragraph [00299]. Applicants submit that all new claims, introduced through the instant correspondence, are within the scope of the elected Group 2.

The Applicants note the same Markush group of sequences is presented in new claims 47, 56, and 63. This Markush group recites eight (8) sequences. The Applicants submit this number of sequences will not burden the Examiner and should, therefore, not be subject to an additional election. Indeed, as noted in MPEP 803.04:

> "[i]t has been determined that normally ten sequences constitute a reasonable number for examination purposes. Accordingly, in most cases, up to ten independent sequences will be examined in a single application without restriction."

Given this group of sequences share a common utility (i.e., they exert, in one embodiment, an immunostimulatory effect) and share a substantial structural feature (i.e., the CpG motif) that is linked to this immunostimulatory effect; it would be completely contrary to the guidelines regarding restriction practice in Markush groups (as set out in MPEP 803.02) to subject these sequences to further restriction.

The Examiner objects to claims 22-24, 26-28, 30-32, 34-36, 38-40, and 42-46. The Applicants inquire if the dependencies of these claims, objected to by the Examiner, were amended such that they were compliant with MPEP 608.01(n); would the Examiner

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[1] Applicants expressly reserve the right to prosecute all withdrawn claim, or claims similar thereto, in subsequently filed application(s).

be willing to rejoin the same as part of claims examined in the elected group. In addition, the Applicants request the Examiner rejoin "linking" claim 21 in the event the claims in elected Group 2 are passed to allowance.

In sum, the Applicants respectfully request that claims 3, 7-16, and 47 - 63 be examined on the merits.

CONCLUSION

Should the Examiner believe a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.542.6000.

Dated: January 24, 2007

Reg No 53098

Respectfully submitted,

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